

1 GRANT P. FONDO (SBN 181530)  
GFondo@goodwinlaw.com  
2 DAVID R. CALLAWAY (SBN 121782)  
DCallaway@goodwinlaw.com  
3 **GOODWIN PROCTER LLP**  
601 Marshall Street  
4 Redwood City, CA 94063  
Tel: +1 650 752 3100  
5 Fax: +1 650 853 1038

6 RICHARD M. STRASSBERG (*pro hac vice*)  
RStrassberg@goodwinlaw.com  
7 **GOODWIN PROCTER LLP**  
620 Eighth Avenue  
8 New York, NY 10018  
Tel.: +1 212 813 8800  
9 Fax: +1 212 355 3333

10 SYLVIA R. EWALD (SBN 300267)  
SEwald@goodwinlaw.com  
11 **GOODWIN PROCTER LLP**  
520 Broadway, Suite 500  
12 Santa Monica, CA 90401  
Tel: +1 424 436 3051  
13 Fax: +1 213 947 1746

14 Attorneys for Defendant:  
CARLOS E. KEPKE

15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 CARLOS E. KEPKE,  
23 Defendant.

Case No. 3:21-CR-00155-JD

**DECLARATION OF GRANT P. FONDO  
IN SUPPORT OF CARLOS KEPKE'S  
ADMINISTRATIVE MOTION TO  
RELEASE SEALED NOVEMBER 21,  
2022 HEARING TRANSCRIPT**

Courtroom: 11, 19th Floor  
Judge: Hon. James Donato

Filed/Lodged Concurrently with:

1. Admin Motion to Release Sealed Transcript
2. [Proposed] Order Granting Administrative Motion

**DECLARATION OF GRANT P. FONDO**

I, Grant P. Fondo, declare as follows:

1. I am a partner with the law firm Goodwin Procter LLP, counsel of record for Defendant Carlos E. Kepke ("Mr. Kepke") in the above-captioned matter. I am licensed to practice law in the State of California and I am duly admitted to practice in the United States District Court for the Northern District of California. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would competently testify to the matters set forth herein.

2. On November 21, 2022, Judge Donato held a pretrial conference, which involved discussion of a matter that was placed provisionally under seal.

3. On November 23, 2022, Mr. Kepke requested a copy of the transcript of the November 21, 2022 Hearing.

4. On November 22, 2022, Mr. Kepke received a copy of the redacted transcript from the Court Reporter, and was informed by the Court Reporter that an order was required in order to release the sealed portion of the transcript to Mr. Kepke.

5. It is our belief and understanding that the entire transcript, including the redacted portions, is required to allow Mr. Kepke and his counsel to fully and adequately prepare for the trial beginning on November 28, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 23, 2022 in Los Altos, California.

/s/ Grant P. Fondo

GRANT P. FONDO